

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0837RF-H547-US

In Re Application of:

MICHAEL R. SMITH, ET AL.

Serial No.: 10/528,920

Filed: 23 MARCH 2005

For: PIEZOELECTRIC LIQUID INERTIA
VIBRATION ELIMINATOR

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Examiner: BURCH, MELODY M.

Art Unit: 3683

Confirmation No.: 9046

RESPONSE TO RESTRICTION REQUIREMENT

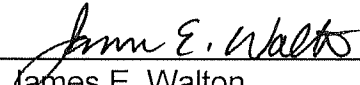
Filed via EFS-Web

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Response to Restriction Requirement is being filed in response to the Restriction Requirement mailed 5 September 2008, which provides for a one-month response period ending 5 October 2008.

Please consider the following election and remarks.

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(C)
Date of Transmission: <u>9/23/08</u>
I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office (USPTO) via the USPTO electronic filing system (EFS-Web) on the date shown above.
By: <u></u> James E. Walton

ELECTION WITHOUT TRAVERSE:

The Restriction Requirement alleges that the present application contains claims directed to 17 species, each according to a different figure in the drawings.

The Applicants elect, without traverse, to pursue the claims of Species 16, according to Figure 23A.

The Applicants submit that at least Claims 1-4, 7-10, 13-30, 32, and 34-44 are broad enough to read on the elected Species 16.

The Applicants submit that Claim 1 is generic to Species 1-3, 6-14, 16, and 17; Claim 2 is generic to Species 1-3, 6-14, 16, and 17; Claim 3 is generic to Species 1-3, 6, 7, and 16; Claim 4 is generic to Species 1-3, 6-14, 16, and 17; Claim 5 is generic to Species 1, 2, and 10; Claim 6 is generic to Species 1, 2, and 10; Claim 7 is generic to Species 1, 2, 11, 13, 14, and 16; Claim 8 is generic to Species 1, 2, 11-14, and 16; Claim 9 is generic to Species 1-3, 6-14, 16, and 17; Claim 10 is generic to Species 1, 2, 6-14, 16, and 17; Claim 11 is generic to Species 1, 2, and 10; Claim 12 is generic to Species 1, 2, and 10; Claim 13 is generic to Species 1, 2, 11, 13, 14, and 16; Claim 14 is generic to Species 1, 2, 11-14, and 16; Claim 15 is generic to Species 1, 2, 6, 13, and 16; Claim 16 is generic to Species 1, 2, 6, 14, and 16; Claim 17 is generic to Species 1, 2, 6, and 16; Claim 18 is generic to Species 1, 2, 6, and 16; Claim 19 is generic to Species 1, 2, 6-14, 16, and 17; Claim 20 is generic to Species 1-17; Claim 21 is generic to Species 1, 2, 6, 11, 14, and 16; Claim 22 is generic to Species 1, 2, 6, 11, 14, and 16; Claim 23 is generic to Species 1, 2, 6, 11, and 16; Claim 24 is generic to Species 1, 2, and 16; Claim 25 is generic to Species 1, 2, and 16; Claim 26 is generic to Species 1, 2, and 16; Claim 27 is generic to Species 1, 2, and 16; Claim 28 is generic to Species 1, 2, and 16; Claim 29 is generic to Species 1, 2, 6-14, 16, and 17; Claim 30 is generic to Species 1, 2, 6-14, 16, and 17; Claim 31 is generic to Species 1, 2, and 10; Claim 32 is generic to Species 1, 2, 11, 13, 14, and 16; Claim 33 is generic to Species 1 and 2; Claim 34 is generic to Species 1, 2, and 17; Claim 35 is generic to Species 1, 2, and 4-17; Claim 36 is generic to Species 1, 2, and 4-17; Claim 37 is generic to Species 1, 2, and 4-17; Claim 38 is generic to Species 1-3, 6-14, 16, and 17;

Claim 39 is generic to Species 1-3, 6-14, 16, and 17; Claim 40 is generic to Species 1-3, 6-14, 16, and 17; Claim 41 is generic to Species 1-3, 6-14, 16, and 17; Claim 42 is generic to Species 1-3, 6-14, 16, and 17; Claim 43 is generic to Species 1-3, 6-14, 16, and 17; and Claim 44 is generic to Species 1-3, 6-14, 16, and 17.

Applicants' election is not an acquiescence in the propriety of the restriction or in the accuracy in the determination and/or identification of the alleged "species" in the application.

The Applicant hereby reserves the right to pursue the remaining claims, and additional claims, in one or more continuation, continuation-in-part, or divisional applications.

CONCLUSION:

This Response to Restriction Requirement is being filed via the U.S. Patent and Trademark Office's EFS-Web electronic filing system. No fees are deemed to be necessary; however, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayments, to **Deposit Account No. 502806**.

Please link this application to Customer No. 38441, so that its status may be checked via the PAIR System.

Respectfully submitted,

9/23/08
Date

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